

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: CZUCHRY, ET AL. : Paper No.:
Serial No.: 10/659,758 : Group Art Unit: 3627
Filing Date: Sept. 10, 2003 : Examiner: HAIDER, FAWAAD
For: **COMMODITY USAGE TRACKING AND REPLENISHMENT
APPARATUS AND METHOD**

RESPONSE TO RESTRICTION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Official Action dated April 12, 2007, Applicant elects Invention I (Claims 1-8), with traverse.

In the Official Action, the Examiner identified three inventions: Invention I (Claims 1-11), and Invention II (Claims 12-22). The Examiner asserted that there would be a serious burden on the Examiner if restriction is not required because the inventions require a different field of search, and the method of Invention II could be practiced in many different ways, including determining inventory levels by hand.

Applicant suggests amending Claim 12 to recite that it is a computer-based method of tracking and replenishing commodity goods used by a consumer, so that method as claimed is practiced by the apparatus of Invention I, or an apparatus that is not materially different. See MPEP 806.05(e). The rejection would thereby be traversed. Reconsideration and an early allowance of all claims is respectfully requested.

Respectfully submitted,

/W. Edward Ramage/
W. Edward Ramage, Reg. No. 50,810
Baker Donelson Bearman Caldwell &
Berkowitz, PC
211 Commerce Street, Suite 1000
Nashville, TN 37201
615-726-5771